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TWO NORTHERN COUNTY MEN SENTENCED TO LENGTHY PRISON TERMS FOR THEIR ROLES IN A METHAMPHETAMINE TRAFFICKING CONSPIRACY

SACRAMENTO, Calif.—United States Attorney McGregor W. Scott announced that RICARDO VALENCIA DIAZ, 31, of Corning, Calif., and SABAS MIRAMONTES, 27, of Colusa Calif., were sentenced today by United States District Judge Frank C. Damrell Jr. DIAZ was sentenced to 295 months (or over 24 ½ years) in prison on convictions of conspiracy and possession with the intent to distribute methamphetamine and possession of a firearm. He was convicted following a four-week jury trial that concluded on June 10, 2008. MIRAMONTES was sentenced to 151 months (or over 12 ½ years) in prison for conspiracy to distribute methamphetamine. He pleaded guilty on May 9, 2008. DIAZ and MIRAMONTES are two of seven defendants in a methamphetamine trafficking conspiracy responsible for bringing methamphetamine and firearms to a late night deal at a Yuba City Wal-Mart parking lot in early 2007.

This case was the product of a joint investigation by the Drug Enforcement Administration and Net-5, a drug task force made up of members from various law enforcement agencies in Yuba and Sutter Counties.

According to Assistant United States Attorneys Philip Ferrari and Todd Pickles, who prosecuted the case, the evidence introduced at trial showed that beginning December 2006, the DEA used an informant to negotiate the terms of an anticipated methamphetamine deal with MIRAMONTES. MIRAMONTES introduced the informant to his source of supply, and arranged for a delivery of methamphetamine, which occurred on February 24, 2007. On that date, six individuals including DIAZ traveled from Corning to Yuba City to deliver approximately four pounds of methamphetamine. The six individuals traveled in three cars to a Wal-Mart parking lot, arriving just before midnight. DIAZ was a passenger in a pickup truck that he owned, that contained two other persons, an SKS military rifle, and ammunition. Evidence at trial established that DIAZ and the occupants of his vehicle were there to provide security for the deal, and that DIAZ had packed the SKS and the ammunition at the request of the conspiracy's leader, VICTOR ALVARADO. After ALVARADO showed the informant the methamphetamine, law enforcement moved in and made arrests.

Sentencing was presided over by Judge Damrell, who relied upon the quantity of drugs involved and the presence of the firearm in determining DIAZ's sentence, as well as a finding that DIAZ obstructed justice by testifying falsely in his own defense. Evidence introduced at trial showed that DIAZ had received a text message from ALVARADO, asking that DIAZ, his cousin, and his nephew do him a favor and promising dollar signs in return. At trial, and at sentencing, DIAZ dismissed the importance of the text message, claiming he had ignored it, and that he was intoxicated and unaware of what was really happening on the night of his arrest. Judge Damrell rejected these claims, declaring the evidence "overwhelming" that DIAZ was a

knowing participant who had yet to accept responsibility for his actions. Noting both the presence of the firearm that DIAZ brought to the deal, as well as the presence of DIAZ's cousin and nephew in the parking lot, Judge Damrell said, "The fact is, he delivered on that [text] message."

MIRAMONTES's sentence was also based in part on the quantity of drugs that were delivered to the Wal-Mart. Despite the fact that he was not actually present during the undercover operation on February 24, Judge Damrell stated that he was the defendant who "started the ball rolling." MIRAMONTES was the "point person for the ultimate seller" and Judge Damrell noted that but for his involvement, the deal might never have taken place.

Co-defendants MARGARITO CABALLERO and JOSE LUIS DIAZ previously received sentences of 292 months and 135 months respectively for their roles in the conspiracy. Two co-defendants are still awaiting sentencing.

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